



City of Hampton, VA Meeting Minutes City Council

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov

*W. H. "Billy" Hobbs, Jr.
Will Moffett
Chris Snead
Molly Joseph Ward, Mayor*

*Christopher G. Stuart
Donnie R. Tuck
George E. Wallace*

*Staff:
Mary Bunting, City Manager
Cynthia Hudson, City Attorney
Katherine K. Glass, CMC, Clerk of Council*

Wednesday, September 12, 2012 5:00 PM Council Chambers, 8th Floor, City Hall

CALL TO ORDER/ROLL CALL

MOLLY JOSEPH WARD PRESIDED

PRESENT: W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace

Mayor Ward welcomed everyone to the meeting and noted that the afternoon meeting was moved from its normal time of 1:00 p.m. to 5:00 p.m. due to the short agenda. She added that the Public Comment and the Evening Sessions would be held at 6:00 p.m. and 7:00 p.m.

AGENDA

1. 12-0339 Briefing on the Status of Ft. Monroe

Ms. Bunting reported that over 13,000 patrons visited the City-leased property on Fort Monroe known as Outlook Beach during the summer season. She noted the City does not manage or maintain the beach associated with the former Bay Breeze Community Center because it is leased to the Paradise Ocean Club which has also enjoyed tremendous visitation and success. She encouraged everyone to visit the site as there have been major investments made and there has been positive feedback regarding those investments. She reiterated that the City manages Outlook Beach, and noted that this is the first summer season where people have been able to enter without going through Army security.

Ms. Bunting reported that the Wherry Quarter Housing buildings have been vacated for demolition which is scheduled to begin this month with the northern part of the Wherry Quarter, and gradually demolishing the remainder of the Wherry property. She reported that this will take several months to accomplish in a responsible fashion and noted sidewalks are being removed so that we will have a green space until the Wherry Quarter planning is complete as part of the Master Plan process.

Ms. Bunting reported that the Master Plan consultant Sasaki will hold a meeting with the Fort Monroe Authority (FMA) on September 27th or September 28th to provide the public with an update on the Master Plan development. She added details regarding that meeting will be provided by Sasaki and the information will also be given via the City communication channel. She added that public input continues on the Fort Monroe Master Plan website, <http://ideas.fmauthority.com>.

Ms. Bunting reported that 106 of the 164 historic homes on Fort Monroe have been leased which shows the interest in residential living at Fort Monroe. She added that the FMA has leased several buildings to non-profits and State organizations and is in various stages of coming on-line. She noted we will begin to see more regular employment at Fort Monroe as of this fall.

Ms. Bunting reported that the restaurant adjacent to the marina, the Old Point Comfort Marina Restaurant, is now open for business on Friday through Sunday.

Mayor Ward reported that former Governor Tim Kaine visited Fort Monroe. She stated he has a great interest in Fort Monroe because he was Governor when the reuse plan was signed and was also instrumental in helping with the National Park Service issue. She explained he presented a copy of the New York Times magazine article excerpted from the book 1861 to his friend, White House Senior Advisor Nancy Deparle, who was captivated by the story of the contraband slaves which led to us to getting the Monument designation. Therefore, he visited Fort Monroe in order to see the boundary lines and to see how much of the Fort had become a National Park unit.

Mayor Ward thanked City staff, volunteers and citizens for their efforts in making Bay Days a great success this year.

PRESENTED by Mary Bunting, City Manager. Mayor Ward also shared information concerning Mark Warner's recent visit to Fort Monroe.

THERE WERE NO REGIONAL ISSUES DISCUSSED

NEW BUSINESS

Councilman Tuck expressed concern about the recent flooding due to heavy rainfall during the month of August. He stated that while he understands that the stormwater system was overwhelmed and water could not be removed quickly, we are under a consent order with respect to improving our sewer lines. He further stated that last year's budget included hiring a hydrologist and asked, for the benefit of the public, for an explanation regarding where we are in terms of enlarging and/or replacing sewer lines, what our next steps are and what our timeframe is for these things.

Ms. Bunting clarified that our drainage system and sanitary sewer are two separate issues and then addressed both issues. She explained the consent order relates to the sanitary sewer; and, we have a work plan which does so many linear feet of sewer upgrades each year. She noted if Council desires, she will provide a written report and give an update at the next meeting. She continued explaining with regards to the drainage systems, we are conducting several watershed studies with part of the money Council dedicated to the waterway improvements that the citizen commission recommended. The watershed studies will give us specific strategies for specific areas

of the City because each water basin has potentially different solutions and we need to be certain that we do not make specific areas worse as we address other areas.

Ms. Bunting continued stating many areas which flooded in the recent intense rain events are areas which don't typically flood, including the Northampton area of the City where there is high ground. She said we explained to citizens that the Government ditch which serves both Hampton and Newport News overflowed due to the intense rain, causing New Market Creek to overflow which affected the Farmington Canal and other neighborhoods. She added that the City of Newport News also had flooding in areas which do not typically flood, and therefore, she suggested to Newport News City Manager Mr. Neil Morgan that we get both City staffs together to discuss regional solutions. For example, City Line Apartments and Paula Maria Apartments are on the cusp of the Newmarket Creek and the Government Canal, therefore, there may be opportunities for us to jointly plan for and discuss what we can do as individual localities as well as what we can do about those areas together.

Ms. Bunting noted we will be getting those staffs together to work on and discuss issues including meteorological trends and perhaps save the taxpayers' money by doing some things jointly.

Councilman Moffett stated we added approximately \$19 million in the Capital Improvement Plan (CIP) to address some issues with our waterways and shoreline protection. He continued stating when we were candidates, it appeared there would be simple solutions; however, this is a complex issue which we may not be able to address even if we had one billion dollars available. He said it is important to make citizens aware that we are working diligently to address and mitigate where we can. He added Council and staff is committed to doing all we can; however, there are some things that we cannot address such as the climate and certain acts of God that are beyond our reach. He said Council is working on and aware of the issue and cares about the issue.

Ms. Bunting agreed with Councilman Moffett's comments and added that we have invested money on the operating budget side which leads to Councilman Tuck's inquiry about the Hydraulics Engineer. She said at the citizen committee's request, we added a Grant Writer because the citizens felt there may be Federal Grant opportunities to help deal with some of these issues. She stated we have always worked with the Army Corps of Engineers on these issues and have made investments on the operating budget side that are over the investment described on the capital budget side. She noted Council is very committed and will not be able to solve every challenge Mother Nature brings, but we will do our best to do what is humanly and financially possible within our resources as a community.

Vice Mayor Wallace stated that members of Council are not immune to this type of situation. He noted he lives in Farmington with elevations 8 feet above sea level, and he had over 3 inches of water in his garage, so he experienced some of the same inconveniences that the rest of the community did. Ms. Bunting noted she experienced a similar situation.

Councilman Tuck stated approximately a month ago, Council received an invitation to meet with the Coalition for Justice for Civil Rights, and, in January, the Coalition's President Mr. Rudy Langford spoke about how he had presented a format and request for citizens' review committee a year earlier and following those comments, Councilman

Moffett suggested we use the Adhoc Committee to explore whether or not they could do a Police Review Committee which Councilman Stuart and Vice Mayor Wallace agreed with at that time. He said after meeting with City Manager Bunting and City Attorney Hudson regarding the Adhoc Committee's responsibilities, the sense was it would function as more than a Police Review Committee and may look at a number of issues throughout the City Government. However, at the meeting with the Coalition for Justice, he heard a study is being done by the Adhoc Committee to look into the Police Department. He asked how this escalated from whether or not this group could be a group that could serve or function as a citizen review committee to a committee that is preparing to produce a report?

Ms. Bunting said she was not aware of the Adhoc leadership group preparing to do anything other than report on the merits of a Police Review Commission and/or a larger Community Review Commission. She explained the question was whether we singularly wanted a Police Review Commission or if we wanted an entity that could respond to any potentially divisive event in the community. Ms. Bunting continued stating we have had the Coalition ask about police events, and in past years there have also been other concerns such as how the Fire and Emergency Management Services (EMS) Departments responded to events and whether or not there was ethnic motivation behind it. She stated when she reviewed the January 11th minutes Councilman Tuck referenced; there was conversation about police and/or larger community events. She continued stating that Citizens' Unity Commission Executive Director Michele Jones focused on what that group thought was the role of the Adhoc leadership group and whether there was a need for a Police Review Commission, a larger Community Review Commission, and if so how it should be structured. She said those are the types of things she expects to receive in a report from Ms. Jones.

Ms. Bunting reiterated that she is not aware of the Adhoc leadership group specifically looking at a review of the Police Department; however, as noted in an email to Council and as she responded to the Daily Press, we are conducting a follow-up to the organizational audit done in January. She explained that years ago, it was routine for us to survey the organization and she was reminded of that at a recent International City/County Management Association (ICMA) meeting; therefore, she sent a survey to the entire organization. The responses were used to inform Council as they spoke about the budget process and what we would do about compensation for employees. As part of that process, employees were given a chance to say whether or not they wanted follow-up interviews which had not yet been done. The survey consultant cannot do the interviews simultaneously, so we decided to begin with one department and move to the next. The consultant started with the Police Department; however, other departments will be surveyed as part of the organizational continuous improvement cycle. These are two separate things that should give information about where we go in the future; however, they are not driven around a specific goal. She clarified that the organizational review is about continuous improvement; however, the Adhoc leadership is about whether or not there is a role for a Police Review Commission and/or a larger community review commission.

CLOSED MEETING

2. 12-0332 Closed Session as provided in Virginia Code Section 2.2-3711.A.1

APPROVED

Motion made by: Vice Mayor George E. Wallace

Seconded by: Councilmember Donnie R. Tuck

Ayes: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nays: 0

- . 12-0275 to consider appointments to the Planning Commission.

NO ACTION REQUIRED

- . 12-0340 to consider an appointment to the Finance Committee

NO ACTION REQUIRED

- . 12-0341 to consider an appointment to the Hampton Employees Retirement System Board

NO ACTION REQUIRED

- . 12-0342 to consider appointments to the Hampton Clean City Commission

NO ACTION REQUIRED

- . 12-0343 to consider appointments to the Peninsula Stadium Authority

NO ACTION REQUIRED

- . 12-0344 to consider an appointment to the Building Code Board of Appeals

NO ACTION REQUIRED

- . 12-0345 to consider an appointment to the Animal Control Advisory Committee

NO ACTION REQUIRED

- . 12-0346 to consider an appointment to the Peninsula Agency on Aging

NO ACTION REQUIRED

- . 12-0347 to consider appointments to the Hampton Federal Area Development Authority

NO ACTION REQUIRED

CERTIFICATION

3. 12-0333 Resolution Certifying Closed Session

WHEREAS, the City Council of the City of Hampton, Virginia, has convened a closed session on this date pursuant to an affirmative recorded vote made in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712D of the Code of Virginia requires a certification by the City Council of the City of Hampton, Virginia, that such closed meeting was conducted in conformity with Virginia Law;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hampton, Virginia, hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed session to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the city council of the city of Hampton, Virginia.

ADOPTED

Motion made by: Councilmember Will Moffett

Seconded by: Councilmember Chris Snead

Ayes: 7 - W. H. "Billy" Hobbs, Jr., Will Moffett, Chris Snead, Christopher G. Stuart, Donnie R. Tuck, George E. Wallace, Molly Joseph Ward

Nays: 0

Molly Joseph Ward
Mayor

Katherine K. Glass, CMC
Clerk of Council

Date approved by Council _____